

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KELLEY CALDWELL,

Plaintiff,

v.

CARLOS DEL TORO, Secretary of the Navy,

Defendant.

NO. 3:19-CV-6095-BHS

JOINT REQUEST OF THE PARTIES  
FOR ORAL CLOSING ARGUMENTS

**Noted on Motion Calendar:  
June 21, 2022**

The Court has reserved ruling on whether the parties shall submit post trial briefing or present oral arguments at the conclusion of the trial (Order, Dkt. No. 58). The parties jointly respectfully request that the Court order that the parties will present their closing argument at the conclusion of the trial by oral argument, and not submit post trial briefing. The parties anticipate and request no more than fifteen minutes for each party's argument. There is one claim before the Court, and the testimony of the witnesses has been relatively brief. The Court has received significant briefing from the parties through the various pretrial filings. The parties have filed a stipulated statement of facts and have stipulated to the amount of back pay to be awarded if the Court finds in favor of the plaintiff, Kelley Caldwell.

1 In addition, the undersigned counsel for the Navy anticipates retiring from federal service  
2 effective July 31, 2022, and has duties associated with the turnover and transition and  
3 commitments in other cases which may complicate submitting post trial briefing before her  
4 anticipated retirement. Moreover, any successor counsel, who did not try the case, would need  
5 sufficient time to prepare post trial briefing on behalf of the Navy.

6  
7 Counsel have conferred on this issue and concur that a brief, oral closing would be  
8 preferable for the parties and prejudicial to neither.

9 DATED this 21st day of June, 2022.

10 Respectfully submitted,

11 By:

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*Attorney for Defendant*

**ORDER**

Pursuant to the foregoing, it is hereby

ORDERED, ADJUDGED and DECREED that the Parties will give oral closing arguments and not submit post trial briefing.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Benjamin H. Settle  
United States District Court Judge

Presented by:

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